

REMARKS

Applicant's invention of independent Claim 1 is an extracorporeal system for an apheresis system which includes a blood processing channel. This system includes a blood processing vessel which may be positioned in the blood processing channel when an apheresis procedure is to be performed. A blood-related port communicates with an interior of the blood processing vessel such that blood-related fluids (e.g., blood, one or more blood component types such as red blood cells) may be introduced into and/or removed from the blood processing vessel through this blood-related port. A support interfaces with this blood-related port, and further interfaces with an exterior surface of the blood processing vessel in overlapping relation with a portion of the blood processing vessel. Applicant refers the Examiner to page 99, line 18 through page 101, line 18 of the subject patent application where a shield 408 and a blood inlet port 392 are described and which description provides support for Claim 1 (although Claim 1 is not limited to this description).

Independent Claim 1 stands rejected under 35 USC § 102(e) based upon U.S. Patent No. 5,360,542 (hereafter "Williamson"). Applicant does not admit that Williamson is prior art to the subject patent application, and Applicant reserves the right to swear behind Williamson by filing one or more affidavits/declarations under 37 CFR § 1.131. However, since Williamson does not disclose all features of Claim 1 and thus

cannot anticipate the same, it is unnecessary to file such an affidavit/declaration at this time.

Williamson does not disclose a support which interfaces with a blood-related port and which further interfaces with an exterior surface of the blood processing vessel in overlapping relation with a portion of the blood processing vessel. The Examiner referred to Figures 28 and 32 of Williamson, and more specifically to the hinge 242 in relation to the support of Claim 1. The hinge 242 from Williamson does not interface with any blood-related port, and thereby cannot be the support of Claim 1. The hinge 242 merely retains the processing chamber 22 in place on the spool 130, and is spaced from the locale where the ports 248 (Fig. 28) interconnect with the processing chamber 22.

Based upon the foregoing, Claim 1 is allowable over Williamson. Claims 2-14 depend from Claim 1 and are also allowable for the above-noted reasons, and further since each of these claims introduces at least one additional feature which presents a further combination of features which are not disclosed by Williamson.

The Examiner rejected Claim 1 under 35 USC § 112, second paragraph. Specifically, the Examiner took the position that the turn "disposable" was not a noun. Although Applicant does not agree (e.g., see Webster's New Collegiate Dictionary which indicates that a "disposable" is "designed to be used once and then thrown away"), Applicant has amended Claim 1 to indicate that an extracorporeal system is being claimed. Support for this can be

found on page 4, lines 2-4. Therefore, Applicant respectfully requests withdrawal of the corresponding § 112 rejection.

The Examiner rejected Claim 4 under § 112 in relation to the term "deflection" used therein. Applicant believes that Claim 4 complies with the requirements of § 112, and therefore respectfully requests withdrawal of the corresponding rejection.

The Examiner indicated that claims 5-10 are patentably distinguished over the prior art. Applicant has added new claims 34-39 which correspond with these claims after addressing any § 112 rejection, and such new claims are in condition for allowance.

Applicant believes that all pending claims are in condition for allowance and such a disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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